

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS W. PITTS,
[DOB: 09/25/1987],

Defendant.

Case No. _____

COUNT ONE

Conspiracy to Distribute 50 Grams or More of Actual Methamphetamine
21 U.S.C. §§ 841(a)(1) and (b)(1)(A) and 846
NLT 25 Years' Imprisonment
NMT Life Imprisonment
NMT \$20,000,000 fine
NLT 10 Years' Supervised Release
Class A Felony

COUNT TWO

Possession with Intent to Distribute 50 Grams or More of Actual Methamphetamine
21 U.S.C. § 841(a)(1) and (b)(1)(A)
NLT 25 Years' Imprisonment
NMT Life Imprisonment
NMT \$20,000,000 fine
NLT 10 Years' Supervised Release
Class A Felony

COUNTS THREE AND FOUR

Distribution of Five Grams or More of Actual Methamphetamine
21 U.S.C. § 841(a)(1) and (b)(1)(B)
NLT 10 Years' Imprisonment
NMT Life Imprisonment
NMT \$8,000,000 Fine
NLT 8 Years' Supervised Release
Class A Felony

PRIOR CONVICTIONS

21 U.S.C. § 851

FORFEITURE ALLEGATION

21 U.S.C. § 853

\$100 Special Assessment (Each Count)

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Beginning on an unknown date, but no later than on or about February 18, 2021, and continuing to at least November 16, 2021, in Henry and Pettis Counties, within the Western District of Missouri, and elsewhere, the defendant, **THOMAS W. PITTS**, knowingly and intentionally conspired and agreed with others, known and unknown to the Grand Jury, to distribute 50 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), all in violation of Title 21, United States Code, Section 846.

COUNT TWO

On or about February 18, 2021, in Henry County, in the Western District of Missouri, the defendant, **THOMAS W. PITTS**, knowingly and intentionally possessed, with the intent to distribute, 50 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).

COUNT THREE

On or about October 6, 2021, in Pettis County, in the Western District of Missouri, the defendant, **THOMAS W. PITTS**, knowingly and intentionally distributed five grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

COUNT FOUR

On or about October 28, 2021, in Pettis County, in the Western District of Missouri, the defendant, **THOMAS W. PITTS**, knowingly and intentionally distributed five grams or more of

actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

PRIOR CONVICTIONS

Prior to the commission of the offenses charged in Counts One through Four of this Indictment, the defendant, **THOMAS W. PITTS**, was convicted of distribution of a controlled substance, a class B felony in violation of Mo. Rev. Stat. § 195.211, in the Circuit Court of Pettis County, Missouri, case number 14PT-CR00126-01; and delivery of a controlled substance, a class C felony in violation of Mo. Rev. Stat. §§ 579.020, in the Circuit Court of Pettis County, Missouri, case number 18PT-CR00367-01, which are serious drug felonies for which the defendant served more than 12 months' imprisonment and was released from any term of imprisonment for the same within 15 years of the commencement of the instant offenses.

All in accordance with Title 21, United States Code, Section 851.

FORFEITURE ALLEGATION

1. The allegations contained in Count One of this Indictment are realleged and incorporated by reference for the purpose of alleging a forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. Upon conviction of the controlled substance offense alleged in Count One of this Indictment, the defendant, **THOMAS W. PITTS**, shall forfeit to the United States all property, real and personal, constituting, or derived from, proceeds obtained, directly and indirectly, as a result of the violations incorporated by reference in this Allegation and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of the violations alleged in Count One of this Indictment, including, but not limited to the following: a

money judgment in the amount of proceeds obtained directly and indirectly as a result of the defendant's participation in the drug conspiracy alleged in Count One.

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

The United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All in accordance with Title 21, United States Code, Section 853, and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL.

/s/ Cynthia Kivett

FOREPERSON OF THE GRAND JURY

/s/ Byron H. Black

BYRON H. BLACK

Assistant United States Attorney

DATED: 11/30/2021

Kansas City, Missouri